

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare:

That my residence, post office address and citizenship are as stated below next to my name.

That I verily believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHOD AND SYSTEM FOR GENERATING, APPLYING AND DEFINING A PATTERN

the specification of which (check one)

(x) is attached hereto.

() was filed on _____ as

Application Serial No. _____

and was amended on _____

That I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

That I acknowledge the duty to disclose information known to be material to patentability of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

That I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate on this invention having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

(Number)

(Country)

(Day/Month/Year Filed)

☐
☐

(Number)

(Country)

(Day/Month/Year Filed)

☐
☐

Yes

No

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

60/157,826
(Application Number)

October 5, 1999
(Filing Date)

60/199,046
(Application Number)

April 21, 2000
(Filing Date)

That I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

United States Application(s)

| (Application Serial No.) | (Filing Date) | (Status)-(Patented, pending, abandoned) |
|--------------------------|---------------|-----------------------------------------|
|--------------------------|---------------|-----------------------------------------|

| (Application Serial No.) | (Filing Date) | (Status)-(Patented, pending, abandoned) |
|--------------------------|---------------|-----------------------------------------|
|--------------------------|---------------|-----------------------------------------|

That all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

I hereby appoint the following attorneys, with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith and request that all correspondence and telephone calls in respect to this application be directed to Marina N. Saito, SONNENSCHN, NATH & ROSENTHAL, P. O. Box 061080; Wacker Drive Station, Sears Tower, Chicago, Illinois 60606-1080

| <u>Attorney</u> | <u>Registration No.</u> | <u>Attorney</u> | <u>Registration No.</u> |
|---------------------|-------------------------|---------------------------|-------------------------|
| Howard B. Rockman | 22,190 | Marina N. Saito | 42,121 |
| Kevin W. Guynn | 29,927 | Lana M. Knedlik | 42,748 |
| David R. Metzger | 32,919 | Alison P. Schwartz | 43,863 |
| Janelle D. Strode | 34,738 | Gregory B. Gulliver | 44,138 |
| Michael L. Kiklis | 38,939 | Christopher P. Rauch | 45,034 |
| Joseph A. Mahoney | 38,956 | Francisco A. Rubio-Campos | 45,358 |
| Jordan A. Sigale | 39,028 | Brian J. Gill | P46,727 |
| Michael A. Molano | 39,777 | Shashank S. Upadhye | N/A - ltd. authority |
| Jennifer H. Hammond | 41,814 | | |

Full name of sole or one
joint inventor:

Peter Coad

Inventor's signature:

Date:

Residence and Post Office Address:

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Citizenship:

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Full name of sole or one joint inventor

Dietrich Charisius

Inventor's Signature

Date

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Citizenship:

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Full name of sole inventor or one joint inventor:

Alexander Aptus

Inventor's Signature:

Date

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Citizenship:

Russia

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Applicant or Patentee: Peter Coad; Dietrich Charisius; and
Alexander Aptus

Attorney Docket No: 30013630-0004

Serial or Patent No.: _____

Filed or Issued: _____

For: Method And System For Generating, Applying, And Defining A Pattern

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) AND 1.27(c) - SMALL BUSINESS CONCERN)

I hereby declare that I am

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: TogetherSoft Corporation

ADDRESS OF CONCERN: 920 Main Campus Drive, Suite 410, Raleigh, North Carolina 27606

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

☒ I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled:

☐ Method And System For Generating, Applying, And Defining A Pattern

☐ By inventors Peter Coad; Dietrich Charisius; and Alexander Aptus

☐ described in:

☒ the specification filed herewith.

Application Serial No.: _____, filed _____

Patent No.: _____, issued _____

☐ If the rights held by the above-identified small business concern are not exclusive, each individual, concern, or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern, or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME _____

ADDRESS _____

☐ INDIVIDUAL

☐ SMALL BUSINESS CONCERN

☐ NONPROFIT ORGANIZATION

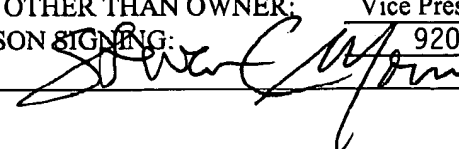
I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Steve Morrison

TITLE OF PERSON OTHER THAN OWNER: Vice President

ADDRESS OF PERSON SIGNING: 920 Main Campus Drive, Suite 410, Raleigh, NC

SIGNATURE:  DATE: 10/3/00

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